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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/533,836

12/02/2005

Anders Jonsson

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EXAMINER

SIMONE, CATHERINE A

ART UNIT

PAPER NUMBER

1772

MAIL DATE

DELIVERY MODE

10/03/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/533,836

Applicant(s)

JONSSON ET AL.

Examiner

Catherine Simone

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 5/4/05.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-12 are rejected under 35 U.S.C. 102(a) as being anticipated by Rasmussen (WO 02/102592).

Regarding claim 1, Rasmussen teaches a corrugated product (see Figures 2-5) comprising at least one first plane sheet (B) and at least one second sheet (A) arranged in wave shape, wherein the first sheet is joined with the second sheet in joining areas (6), forming a framework shape having the joining areas arranged at tops of the second sheet, characterized in that at least the second sheet (A) is arranged with a thinner portion in connection with the joining areas (6), and that the joining areas (6) between the first and second sheet substantially include the entire thinner portion of the second sheet (A). Regarding claim 2, the joining areas (6) between the first sheet (B) and the second sheet (A) include the entire thinner portion of the second sheet (see Figures 2-5). Regarding claim 3, note the joining areas (6) between the first sheet (B) and the second sheet (A) include the entire thinner portion (6) and a thicker portion (portion next to thinner portion 6) of the second sheet (A) adjacent the thinner portion (6). Regarding claim 4, note the thinner portion (6) is arranged with a length and thickness that in combination with the length, thickness and shape of remaining portions of the second sheet (A) results in a

substantially similar consumption of material and/or cross section area of the second sheet as of a corresponding plane sheet without thinner portions of the same width (see Figures 1-5).

Regarding claim 5, note at least the second sheet is formed of thermoplastic material (claim 1, lines 1-5). Regarding claim 6, note the second sheet is formed of polyolefin (claim 20).

Regarding claim 7, note the material comprises a filler (claims 26, 27, 29 and 30). Regarding claim 8, note the limitation "by welding" is a method of production and therefore does not determine the patentability of the product itself. The method of forming the product is not germane to the issue of patentability of the product itself. See MPEP 2113. Regarding claim 9, note the second sheet (A) arranged in wave shape comprises straight portions extending between the tops (see Figs. 3 and 4). Regarding claim 10, note a third plane sheet (C) connected to the wave shaped second sheet (A) in joining areas, so that the wave shaped second sheet (A) is arranged between both of the substantially plane sheets (B and C) (see Fig. 4). Regarding claim 11, note a plane third sheet (C) arranged opposite the first plane sheet (B) with an intermediate (A) and wave shaped fourth sheet (D) arranged with tops joined with tops of the second wave shaped sheet (A) (see Figs. 4 and 5). Regarding claim 12, note at least the first plane sheet (B) is arranged with a regular elevation between adjacent joining areas (6).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jonsson (WO 01/08878 A1) in view of Rasmussen (US 5,626,944).

Regarding claims 1-4, Jonsson teaches a corrugated product (Figures 2 and 3) comprising at least one first plane sheet (19) and at least one second sheet (16) arranged in wave shape, wherein the first sheet is joined with the second sheet in joining areas (page 5, lines 17-20), forming a framework shape having the joining areas arranged at tops of the second sheet (16).

However, Jonsson fails to disclose the second sheet (16) having thinner portions in connection with the joining areas.

Rasmussen teaches a wavy shaped product having a varying thickness, i.e. thicker and thinner portions, and the thinner portions are taught to produce a strong bonding, preferably a true welding in these portions, and facilitate strong bending and flexing (Fig. 1 and col. 6, lines 19-32).

Jonsson and Rasmussen each teach wavy shaped products for use in packaging and are therefore analogous arts.

It would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to have provided the corrugated sheet (16) in Jonsson with thinner portions in connection with the joining areas as suggested by Rasmussen in order to produce a stronger bond and facilitate strong bending and flexing.

Regarding claims 5 and 6, note at least the second sheet is formed of thermoplastic material such as a polyolefin (page 4, lines 20-21). Regarding claim 7, note the material comprises a filler of chalk (page 4, line 21). Regarding claim 8, note the first sheet and the second sheet are joined by welding (page 6, line 27). Regarding claim 9, note the second sheet

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(16) arranged in wave shape comprises straight portions extending between the tops (see Figs. 2 and 3). Regarding claim 10, note a third plane sheet (20) connected to the wave shaped second sheet (16) in joining areas, so that the wave shaped second sheet (16) is arranged between both of the substantially plane sheets (19 and 20) (see Fig. 2). Regarding claim 11, note a plane third sheet (20) arranged opposite the first plane sheet (19) with an intermediate (16) and wave shaped fourth sheet (16') arranged with tops joined with tops of the second wave shaped sheet (16) (see Fig. 3). Regarding claim 12, note at least the first plane sheet (19) is arranged with a regular elevation between adjacent joining areas (Figs. 2 and 3).

Conclusion


4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Catherine Simone whose telephone number is (571) 272-1501. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena Dye can be reached on (571) 272-3186. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Catherine A. Simone/
Catherine A. Simone
Examiner
Art Unit 1772
September 20, 2007


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SUPERVISORY PATENT EXAMINER
AU 1772